

## **LISTING OF THE CLAIMS**

This listing of claims replaces all prior listings and versions of claims in the application:

1.           **(Currently Amended)**           A system for delivering data from a server to a mobile communication device through a network,  
the server comprising:  
a data memory for storing a plurality of pieces of data; and  
a server controller controlling such that a piece of data of the plurality of pieces of data is selected as a selected piece of data from the data memory in response to a data request received from the mobile communication device and the selected piece of data is transmitted back to the mobile communication device[.,,]; and  
the mobile communication device comprising:  
an output device;  
a mobile device memory;  
a data request controller for controlling automatic transmission of the data request to the server depending on a user-designated time condition entered on user operation keys of the mobile communication device, the user-designated time condition specifying a future time for the automatic transmission of the data request; and  
a controller controlling such that the selected piece of data downloaded from the server is stored in the mobile device memory, wherein the selected piece of data is reproduced by the output device,  
wherein the data request controller holds the transmission of the data request to the server when at least one communication or internal processing function is operating in the mobile communication device, and  
wherein the server controller randomly selects the piece of data from the data memory, the piece of data comprising image data or audio data for the mobile communication device.

2.           **(Original)**           The system according to claim 1, wherein each piece of data stored in the data memory includes image data and sound data,  
wherein the output device comprises an image displaying section and a sound outputting section; and

the controller controls such that the image data of the selected piece of data is displayed on the image displaying section and the sound data of the selected piece of data is reproduced by the sound outputting section.

**3. (Original)** The system according to claim 1, wherein the user-designated time condition is at least one date and time, at which the data request controller transmits the data request to the server.

**4. (Original)** The system according to claim 1, wherein the user-designated time condition is a time period, wherein the data request controller transmits the data request to the server at intervals of the time period.

**5. (Canceled)**

**6. (Original)** The system according to claim 1, wherein the controller controls such that the selected piece of data is reproduced by the output device immediately after the selected piece of data has been downloaded from the server.

**7. (Canceled)**

**8. (Original)** The system according to claim 1, wherein the server controller selects a piece of data from the data memory depending on a predetermined sequence.

**9. (Original)** The system according to claim 1, wherein the data request controller is implemented by executing a Java application using the selected piece of data, wherein the Java application is downloaded from the server.

**10. (Currently Amended)** A method for delivering data from a server to a mobile communication device through a network, the method comprising:  
at the mobile communication device,

determining an automatic transmission condition of a data request depending on a user's instruction entered on user operation keys of the mobile communication device, the user-designated ~~time~~ transmission condition specifying a future time for the automatic transmission of the data request;

transmitting the data request to the server when the transmission condition is met;

at the server,

storing a plurality of pieces of data;

receiving the data request from the mobile communication device;

selecting a piece of data of the plurality of pieces of data from the data memory in response to the data request;

transmitting a selected piece of data to the mobile communication device;

at the mobile communication device,

storing the selected piece of data downloaded from the server in a mobile device memory;

and

reproducing the selected piece of data,

wherein a data request controller holds the transmission of the data request to the server when at least one communication or internal processing function is operating in the mobile communication device, and

wherein the server controller randomly selects the piece of data from the data memory, the piece of data comprising image data or audio data for the mobile communication device.

**11. (Original)** The method according to claim 10, wherein the server stores Java applications, wherein the transmission condition of a data request is determined by:

downloading a Java application from the server; and

setting the transmission condition in the Java application, wherein the Java application is executed in the mobile communication device to download a necessary piece of data from the server.

**12. (Original)** The method according to claim 10, wherein the transmission condition of a data request is at least one date and time, at which the data request is transmitted to the server.

**13. (Original)** The method according to claim 10, wherein the transmission condition of a data request is a time period, wherein the data request is transmitted to the server at intervals of the time period.

**14. (Original)** The method according to claim 10, further comprising:  
at the mobile communication device,  
determining whether at least one function is operating in the mobile communication device;  
when at least one function is operating,  
holding the transmission of a data request to the server until no function is operating.

**15. (Original)** The method according to claim 10, wherein each piece of data includes image data and sound data, wherein the image data of the selected piece of data is displayed on a display and the sound data of the selected piece of data is reproduced by a speaker immediately after the selected piece of data has been downloaded from the server.

**16. (Canceled)**

**17. (Original)** The method according to claim 10, wherein at the server, the piece of data is selected from the data memory depending on a predetermined sequence.

**18. (Currently Amended)** A mobile communication device connected to a server through a network, the mobile communication device comprising:  
an output device;  
a memory;  
a data request controller operable to control automatic transmission of a data request to the server depending on a user-designated time condition entered on user operation keys of the mobile communication device, the user-designated time condition specifying a future time for the automatic transmission of the data request, the data request being a request for a randomly selected piece of data comprising image data or audio data for the mobile communication device;  
and

a controller controlling such that a piece of data downloaded from the server is stored in the memory, wherein the piece of data is reproduced by the output device,

wherein the data request controller holds the transmission of the data request to the server when at least one communication or internal processing function is operating in the mobile communication device.

**19. (Original)** The mobile communication device according to claim 18, wherein the piece of data includes image data and sound data,

wherein the output device comprises an image displaying section and a sound outputting section,

wherein the controller controls such that the image data of the selected piece of data is displayed on the image displaying section and the sound data of the selected piece of data is reproduced by the sound outputting section.

**20. (Currently Amended)** A server for delivering data to a mobile communication device through a network, the server comprising:

a data memory operable to store a plurality of pieces of data; and

a server controller controlling such that a piece of data of the plurality of pieces of data is selected from the data memory in response to a data request received from the mobile communication device and a selected piece of data is transmitted back to the mobile communication device,

wherein the data request received is sent from the mobile communication device according to a user-designated time condition entered via user operation keys of the mobile communication device and specifying a future timing of the data request to the server,

wherein the data request controller holds the transmission of the data request to the server when at least one communication or internal processing function is operating in the mobile communication device, and

wherein the server controller randomly selects the piece of data from the data memory, the piece of data comprising image data or audio data for the mobile communication device.

**21. (Currently Amended)** A computer readable medium incorporating a

program of instructions for instructing a computer to download data from a server to a mobile communication device through a network, the program of instructions comprising:

instructions for determining automatically a ~~transmission~~ time condition of a data request depending on a user's instruction entered on user operation keys of the mobile communication device, the user-designated time condition specifying a future time for the automatic transmission of the data request, the data request being a request for a randomly selected piece of data comprising image data or audio data for the mobile communication device;

instructions for transmitting the data request to the server when the ~~transmission~~ time condition is met;

instructions for receiving ~~[[a]]~~ the piece of data as a response to the data request from the server;

instructions for storing the piece of data in a memory; and

instructions for reproducing the selected piece of data,

wherein the data request controller holds the transmission of the data request to the server when at least one communication or internal processing function is operating in the mobile communication device.

**22. (Currently Amended)** A computer readable medium incorporating a program of instructions for instructing a server computer to deliver data to a mobile communication device through a network, comprising:

instructions for storing a plurality of pieces of data;

instructions for receiving a data request from the mobile communication device;

instructions for selecting a piece of data of the plurality of pieces of data from the data memory in response to the data request; and

instructions for transmitting ~~[[a]]~~ the selected piece of data to the mobile communication device,

wherein the data request received is sent from the mobile communication device according to a user-designated time condition entered via user operation keys of the mobile communication device and specifying a future timing of the data request to the server,

wherein the data request controller holds the transmission of the data request to the server when at least one communication or internal processing function is operating in the mobile communication device,

wherein the server controller randomly selects the piece of data from the data memory, the piece of data comprising image data or audio data for the mobile communication device.